

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

Transcript Designation and Ordering Form

FFB 11 2008  
at 8 o'clock and 05 min. AM  
SUE BEITIA, CLERK

U.S. Court of Appeals Case No. 08-15239 U.S. District Court Case No. CV-02-00084-LEK

Short Case Title MacDonald v. Kahikolu, Ltd.

Date Notice of Appeal Filed by Clerk of District Court January 22, 2008

SECTION A - To be completed by party ordering transcript

HEARING DATE(s) COURT REPORTER PROCEEDINGS(strike portion not desired)

Voir Dire  
Opening Statements  
Settlement Instructions  
Closing Arguments  
Jury Instructions  
Pre-Trial Proceedings  
Other (please specify)

(additional page for designations if necessary)

- (x) I do not intend to designate any portion of the transcript and will notify all counsel of this intention.  
( ) As retained counsel (or litigant proceeding in pro per). I request a copy of the transcript and guarantee payment to the reporter of the cost thereof upon demand. I further agree to pay for work done prior to cancellation of this order.  
( ) As appointed counsel I certify that an appropriate order authorizing preparation of the transcript at the expense of the United States has been, or within 5 days hereof will be, obtained and delivered to the reporter. I agree to recommend payment for work done prior to cancellation of this order.

Date transcript ordered Estimated date for completion of transcript

Print Name of Attorney John R. Hillman Phone Number (415) 421-9292

Signature of Attorney

Address 535 Pacific Avenue, San Francisco, CA 94133

SECTION B - To be completed by court reporter

I, have received this designation.

(signature of court reporter)

- ( ) Arrangements for payment were made on  
( ) Arrangements for payment have not been made pursuant to FRAP 10(b).

Approximate Number of Pages in Transcript--Due Date

SECTION C - To be completed by court reporter

When the transcript is filed, complete this section and submit to the U.S. district court with the completed transcript. The district court will not file the transcript without this completed form.

Date transcript filed Court Reporter's Signature

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

JUL 14 2008

at 8 o'clock and 05 min. AM  
SUE BEITIA, CLERK

SECTION D - To be completed by the Clerk

U.S. DISTRICT COURT CLERK: I certify that the record is available in the office of the U.S. District Court.

Sue Beitia  
(U.S. District Court Clerk)

7/14/08  
(date)

BY:

Sue Beitia  
DEPUTY CLERK

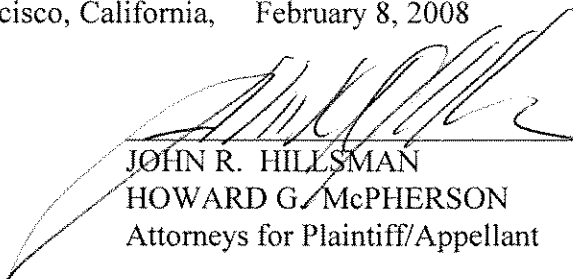
**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing shall be duly served by U.S. Mail and/or facsimile as follows on February 8, 2008:

RICHARD WOOTTON, ESQ.  
Cox Wootton Griffin, Hanson & Poulos  
190 The Embarcadero  
San Francisco, California 94105  
Fax No. (415) 438-4601

Attorneys for Defendant  
KAHIKOLU, LTD. dba Frogman Charters

DATED: San Francisco, California, February 8, 2008



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JOHN R. HILLSMAN  
HOWARD G. McPHERSON  
Attorneys for Plaintiff/Appellant